

STATE WATER RESOURCES CONTROL BOARD EX PARTE COMMUNICATIONS REGARDING PENDING
GENERAL ORDERS DISCLOSURE FORM

1. Pending General Order that the communication concerned:

SWRCB/OCC File No. A-2239(a)-(c): State Water Board review of petitions challenging Central Valley Water Board Order R5-2012-0116, Waste Discharge Requirements General Order for Growers within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group

2. Name, title and contact information of person completing this form:

Laurel Firestone
Community Water Center
716 10th Street, Suite 300
Sacramento, CA 95814

3. Date and location of meeting, phone call or other communication:

March 11, 2016
Phone call & In-person at Community Water Center's office:
716 H Street #300, Sacramento, CA 95814

4. Type of communication (written, oral or both):

Oral communication during small stakeholder meeting.

5. Names of all participants in the communication, including all board members who participated:

From State Water Resources Control Board:

Tam Doduc, Board Member (in-person)

From environmental justice stakeholder community:

Laurel Firestone, Community Water Center (in-person)
Debi Ores, Community Water Center
Marisol Aguilar, California Rural Legal Assistance
Phoebe Seaton, Leadership Counsel for Justice and Accountability
Robert Fuentes, Leadership Counsel for Justice and Accountability

6. Name of person(s) who initiated the communication:

Laurel Firestone, Community Water Center

7. Content of communication:

The environmental justice community representatives discussed concerns regarding the draft order, as well as reviewed pieces of the order which they approved of, seeking feedback from the Board.

The topics that were discussed were:

- The need for public water system well location data to be made public sooner than the final draft of the Order. The data would be of particular importance for CV-SALTS as it moves forward with additional studies to help develop a Basin Plan.
- Whether monitoring and reporting requirements can be linked to water quality requirements through the use of targeted performance standards. If so, where would be the most appropriate place to put those standards and who would develop the standards.
- Replacement water needs to be a requirement rather than a mere hope that dischargers will provide it to those impacted. However, this must be coupled with a requirement that current groundwater must be protected from further contamination, and currently contaminated basins must be restored to the fullest extent possible, otherwise there is less of an incentive to protect basins if dischargers can just provide replacement water instead of implementing best management practices.
- Anti-degradation analysis needs to be upheld and there are concerns on the EJ side that the Order is not using the 1968 baselines and there is an assumption that currently degraded water is of "high quality" for the purposes of the Order when doing a cost-benefits analysis. There needs to be a greater emphasis on tracking the degradation of water quality.
- The need for transparent data. EJ representatives are in support of extended data collection and the push for more transparency in regards to access to this data. Concerns were raised about who does the analysis of this data. In past it was the coalitions but the EJ representatives raised the point that the Central Coast Board currently does the analysis for their growers and that it is better to have the analysis done by the Regional Board.
- The EJ representatives also expressed support for the domestic well testing.
- Whether there needs to be an explicit requirement that growers actually have the tools necessary to accurately measure how much water they are applying to fields, how much nitrates are being applied, and how much nitrates are removed from the fields.

Board member, Tam, suggested the EJ representatives provide suggested text for the issues they have concerns with in their written comments. She also suggested including parts of the order they support.

8. Copies of handouts, PowerPoint presentations and other materials used or distributed at the meeting:

There were no written materials distributed at the meeting.